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UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

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In Re Applications of:

SAN FRANCISCO UNIFIED
SCHOOL DISTRICT

STATION KALW (FM)
For Renewal of License

MB DOCKET No.: 04-191

File No.: EB-04-IH-0270

INTERVIEW OF: MICHAEL JOHNSON

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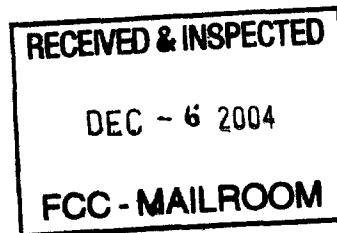
1220 L Street, N.W., Suite 600

Washington, D.C. 20005-4018

(202) 628-4888

hrc@concentric.net

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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STATION KALW(FM))	
For Renewal of License)	

Suite 200
Renne, Sloan, Holtzman & Sakai
188 The Embarcadero
San Francisco, CA

Tuesday,
September 29, 2004

The parties met, pursuant to the notice of the
Judge, at 2:03 p.m.

APPEARANCES:

On behalf of the FCC:

DANA LEAVITT, ESQ.
Investigations and Hearing Division
445 12th Street, S.W., Room 4-A325
Washington, DC 20554
202-418-1317

JAMES W. SHOOK, ESQ.
Enforcement Division
445 12th Street, S.W.
Washington, DC 20554
202-418-1420

APPEARANCES (CONT'D)

On behalf of SFUSD:

MARISSA G. REPP, ESQ.
Hogan & Hartson, LLP
555 13th Street, N.W.
Washington, DC 20004
202-637-5600

LOUISE H. RENNE, ESQ.
Renne Sloan Holtzman & Sakai, LLP
188 The Embarcadero, Suite 200
San Francisco, CA 94105
415-677-1234

I N D E XWITNESSES:PAGE

MICHAEL ELLIS JOHNSON

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Testimony Began: 2:03 p.m. Testimony Ended: 3:42 p.m.

1 P R O C E E D I N G S

2 COURT REPORTER: Please raise your right hand.

3 Whereupon,

4 MICHEL ELLIS JOHNSON

5 was called as a witness herein and, having been duly sworn,

6 was examined and testified as follows:

7 E X A M I N A T I O N

8 BY MS. LEAVITT:

9 Q Could you please state your full name for the
10 record?

11 A It's Michael Ellis Johnson, E-l-l-i-s, traditional
12 spelling of the other two.

13 Q And your address please?

14 A My address is 6546 Fulton Street, F-u-l-t-o-n,
15 that's in San Francisco. The zip code is 94121.

16 Q And how long have you lived at that address?

17 A Eleven or twelve years.

18 Q Okay. Could you give us a little background on
19 your educational history since high school?

20 A Since high school, I went to San Francisco State
21 University, started in Marine Biology and was tricked into a
22 broadcasting career by a friend in the Drama Department, and
23 so I completed my studies in what was then BCA, Broadcast
24 Communications Arts, it's now the BECA, Broadcast Electronic
25 Communications Arts. I graduated out of there in 1982 and

1 simultaneous with that started working or being associated
2 with a place called Western Public Radio. And from Western
3 Public Radio I got my first official broadcast job, a fellow
4 there named Leo Lee, who used to be a City Editor of the
5 Examiner, and started doing training for public radio there.
6 So, I got to know a lot of people in the training, through
7 the training auspices, and then started doing training for
8 not only locally but nationally, as part of a national radio
9 training project, and then started to be training consultant
10 for National Public Radio. And that's sort of my one over
11 into career, but it all kind of fell, kind of overlaps
12 there.

13 Q Because that was, you're clairvoyant, that was my
14 next question. When did you join KALW?

15 A 1991, I think is the first year, it's a little,
16 you know, it's been a while but I believe it was in 1990 or
17 1991.

18 Q And in what capacity were you employed?

19 A Part time announcer, part time on call announcer.

20 Q And how long were you in that position?

21 A Well, I became a permanent part time announcer a
22 few years later, but basically from the moment I started up
23 until 1998 I was a part time announcer, I served other roles
24 at the station during that time, like production manager,
25 none of it was official but, you know, that's kind of the

1 title that I got, production manager, assistant chief
2 engineer, program, daily program host, what else -- pledge
3 drive coordinator. And then from 1998 to 2000 I was offered
4 a chance to take a leave of absence from my permanent
5 position to serve on the contract as a general manager. And
6 that lasted from 1998 until September 30 of the year 2000.

7 Q And what happened after September 30, 2000?

8 A There had been several changes in the
9 administration of the District and the persons that
10 particularly oversaw KALW. And so I was on contract and so
11 the contracts were pretty short, they were three month
12 contracts and, you know, six to three months. And so I got
13 a little tired of short contracts because it gave me no kind
14 of, you know, it didn't give me any kind of security. So, I
15 said at September 30th I don't want a new contract, and I
16 said if you'd like to hire me as GM, because around that
17 time or a little bit before that the position of GM had been
18 posted by the District, I'm not quite sure why, probably
19 because of some heat over this whole deal of having
20 contracted people in classified positions, so there was a
21 little pressure, that was my impression, that there was
22 pressure to actually get some people hired into positions
23 for which they were classified positions. And so I said if
24 you want to hire me, that's fine, I'll apply for it but, I
25 don't want anymore contracts. So, as of September 30th, I

1 quit.

2 Q Have you had any other contact with the station
3 since that time?

4 A I talk to various people there at the station, you
5 know, I wouldn't say all the time but I'm still in touch
6 with one or two people there, you know, I'll call Bill
7 Helgeson once in awhile for something or another, or I
8 might, you know, call Nicole Sawaya to, you know,
9 congratulate her on something that I might have read about
10 on public radio, you know, a journal or something like this,
11 or ask Alan Farley, who is an announcer there, to score me a
12 ticket to a concert or something like this, or just ask what
13 song was that on the radio of one of the DJ's, things like
14 that, casual contact.

15 Q So, do you have any further employment or work
16 relationship with the station?

17 A No, and I haven't since that time.

18 Q Okay. Just backing up a little bit, during the
19 1996, 1997, 1998 time frame, before you became a general
20 manager, what were your functions?

21 A Various. Let's see, I guess I was kind of doing
22 what's called production managing there, which is overseeing
23 some of the internal productions at the radio station,
24 quality assurance, you know, kind of was auditioning some
25 programs there, helping the chief engineer out a lot by, you

1 know, if he had to leave town, I would have the keys and the
2 control of the transmitter sometimes when that, you know, if
3 that ever had a problem, it might beep me, you know, a lot
4 of different things.

5 Q And who was the chief engineer at that time?

6 A Dave Evans, who, you know, passed away, had died
7 after a car accident, and I can't even tell you what year
8 that was now, 1998 maybe, I can't remember.

9 Q Okay. So, how would you describe your
10 relationship with him?

11 A It was good.

12 Q And how much contact would you say you had?

13 A Daily.

14 Q Daily, okay. What was your opinion of his work at
15 the station?

16 A He was the most dedicated person there was at the
17 radio station, I'd say, to the station. He had rebuilt the
18 station several times and had moved the station as well from
19 one location actually several times. It was originally in
20 the John O'Connell School, High School, Vocational High
21 School building, he had moved it from there to the gymnasium
22 when the O'Connell building had been condemned after the
23 1989 earthquake. He actually moved it to a separate site at
24 KSFO's transmitter, a local radio station's transmitter
25 site, and then moved the station back again to the

1 gymnasium, which we were housed in for several years. And
2 then helped move the station up to its present location at
3 500 Mansell. So, he was very dedicated to the radio
4 station, I would say.

5 Q Would there have been any reason for him to have
6 been deemed a disgruntled employee?

7 A No, no, I would say every once in awhile, again
8 because of the changing of the guard above the radio
9 station, immediate supervision of the radio station, there
10 would be -- you would get treated in different ways. You
11 had to sometimes rebuild a relationship with a person who
12 headed up the radio station and so, you know, there were
13 better relationships and there were worse relationships.

14 Q During the 1996, 1997, 1998 time frame, were you
15 familiar with the Public Inspection File for the station?

16 A It really wasn't a concern of mine. I was a part
17 time announcer and totally in a program show host -- well
18 you know, the only place it would have come up would have
19 been, I can think of times when Jerry Jacob was a manager
20 there, that I had to come up with a list of the programs,
21 you know, that I had covered as a program host.

22 Q Do you recall about what time frame that was?

23 A No.

24 Q Okay.

25 A Whenever Jerry was there.

1 Q Do you recall who was the station manager during
2 the 1996, 1997, 1998 time frame?

3 A Probably it would have been Jeff Ramirez.

4 Q And did he ask you to do any program list or keep
5 Program Issues Lists?

6 A I don't believe so.

7 Q Okay. Were you at all familiar with the Ownership
8 Reports that were required to be filed during that time
9 period?

10 A No.

11 Q Had you, during that time period, 1996 to 1998,
12 ever actually looked at the Public Inspection Files?

13 A No.

14 Q So, you never looked at it?

15 A No.

16 COURT REPORTER: Could I just interrupt, just
17 louder please.

18 THE WITNESS: Oh, louder, okay. No, no, no, no.
19 Sorry. Bad radio person. How's this?

20 BY MS. LEAVITT:

21 Q So, that was a no?

22 A That was a no.

23 Q Okay. Do you know of anybody who may have had
24 access to the Public Inspection File, who took documents out
25 and didn't replace them?

1 A No.

2 Q Are you familiar with the Golden Gate Public Radio
3 organization?

4 A Yes.

5 Q And what is that?

6 A Well, from what I could discern it was a non-
7 profit organization organized by a few people at the radio
8 station who were interested in, I guess, seeing the station
9 run a little bit better.

10 Q And who were those people?

11 A The people that I can remember kind of making it
12 up were, early on, Deirdre Kennedy, Jason Lopez, and Dave
13 Evans, and I think that's all I can remember from the radio
14 station, that was it I believe.

15 Q Regarding Mr. Evans, did you have a basis to form
16 an opinion as to his honesty or truthfulness?

17 A Uh-hum.

18 Q And what would you say it was?

19 A I'd say Dave was a pretty honest guy. His end all
20 and be all was the quality running of the radio station, so
21 anyone who was a new hire there sort of got, you know,
22 worried to death by him, you know, if you were a new
23 announcer he'd be flitting through the control room all the
24 time telling you you're doing this wrong and that wrong, and
25 all of that, but once he saw, I think, that you were

1 actually, you know, caring about the radio station, somebody
2 who was there, somebody who cared about the quality of the
3 air and the quality of what you did with it, then, you know,
4 he was your friend.

5 Q Mr. Lopez, what was your relationship with him?

6 A I met Jason at Western Public Radio, which is the
7 place that I was doing a lot of training, that ran
8 simultaneous with my time at KALW. Actually my relationship
9 still continues today with them. So, I met him there and he
10 had just come from being the general manager of KTPR in Ft.
11 Dodge, Iowa, which I just coincidentally happened to do a
12 training at and trained a few of his former employees. So,
13 I kind of -- he actually arranged for me to be there but not
14 knowing who I was at the time, he had arranged an NPR
15 consultancy for the radio station, I was sent there to do
16 the training workshop. But, by the time I got there he was
17 no longer there, and then I met him in San Francisco at
18 Western Public Radio. And I can't remember whether I had
19 encouraged him to come and be an announcer there or not,
20 because he had just been a general manager, so I don't know
21 if he wanted, you know, I didn't know if he wanted to just
22 do announcing.

23 Q Around what time period was this?

24 A I can't remember, I can't remember. I would say
25 1995, 1996, somewhere in there.

1 Q So, you had been at the station and he came to San
2 Francisco sometime after your arrival and starting work at
3 the station?

4 A Oh yes, yeah, a few years after.

5 Q And what is your relationship with him now?

6 A I know Jason, we talk every once in awhile, every
7 once in a blue moon.

8 Q And how frequent was your contact with him while
9 you and he were at the station during say the 1995 to 1998
10 time frame?

11 A Not that frequent.

12 Q Okay.

13 A I mean we had had some ideas, I think, about
14 forming some production stuff and I think we met with some
15 other radio people not associated with the radio station,
16 once or twice to, you know, get our big fancy production
17 ideas off the ground, but nothing really ever came of it.

18 Q Based on your relationship with him at KALW, and
19 prior to that, did you have a basis to form an opinion as to
20 his honesty or truthfulness?

21 A I think Jason was pretty straightforward, I mean
22 I'll say that meaning that I know him, I wouldn't call him
23 -- well, I guess I'd call him a friend but, I think he was
24 pretty straightforward, he was somebody who was, I guess,
25 kind of a new group of people that had come to the station.

1 There were people that had been there for awhile, you know,
2 the lifers, and the permanent people.

3 Q And who were they? I'm sorry to interrupt.

4 A Oh, that would be Alan Farley, Joe Burke, JoAnn
5 Mar, other people that had those jobs for awhile and will
6 have those jobs until they die or retire, or whatever. And
7 then there was sort of a newer group of people that had come
8 along that added a little new blood to the place.

9 Q And were you familiar at all with his involvement
10 in Golden Gate Public Radio?

11 A Not really, not really, you know, I knew that he
12 was involved with it and I knew that they had -- they held a
13 meeting once in which they asked I think a few of the
14 announcers to come and meet, and they talked about who they
15 were and what they were interested in doing, and that's
16 about it.

17 Q Were you familiar with the Petition to Deny that
18 Golden Gate Public Radio filed against he renewal
19 application?

20 A I knew that it existed.

21 Q Did you know the basis?

22 A I kind of thought the gist of it was that, because
23 you know, it obviously caused a little bit of tension at the
24 station between some of the lifers, you know, I'm not trying
25 to make that a pejorative but people that were permanent

1 there and some of the newer people that had come on, because
2 there was obviously sort of a different energy there than,
3 you know, I think if you're there permanent then, you know,
4 you kind of come in and file, buy your stuff and then you go
5 home. And I think some of the newer people that come along,
6 which did comprise some of the folks in Golden Gate Public
7 Radio, were interested in I think the station actually doing
8 more and then taking some of the skills that they had and
9 actually having them put into action and not having that
10 action say frustrated by maybe somebody wasn't into changes.

11 Q What kind of changes do you think they were --

12 A I just think it's production, you know,
13 production. I mean the station had been, you know, going
14 along, there were various managers for awhile and there
15 wasn't a lot of outreach, community outreach I'd say, into
16 the city as far as getting out and doing NPR style
17 production say, there was no news department, so that sort
18 of outreach was not there at all. But, there was certainly
19 possibilities on what to do.

20 Q And do you think they had wanted, or are you aware
21 that any of the members of Golden Gate Public Radio or the
22 organization itself had wanted to move in that direction?

23 A I think that they were interested in the station's
24 potential. The station has, you know, such potential, you
25 know, and had had a potential for years and years and years,

1 and still does have potential, living up to some of it more
2 now, but certainly it had sat, you know, I think a lot of
3 people felt, you know, some people at the station felt that
4 it had sat for quite a while and hadn't really done
5 anything, you know, hadn't really explored some of the
6 possibilities about what it could be.

7 Q Do you think that Golden Gate Public Radio ever
8 had any intent to sort of assume control of the station, or
9 takeover the license?

10 A That I couldn't tell you.

11 Q Okay. Did the station at that time have any
12 involvement, or what was its involvement with the school, it
13 is a license owned by a School District and I'm just
14 wondering if there's any coordination of its students or any
15 programs or internships with the students, or something
16 along those lines?

17 A We read the school lunch menu every day. There
18 was the school board meetings. And we're still talking
19 about this 1996-1998 period?

20 Q Yes.

21 A There were school board meetings, you know,
22 occasionally whoever was in charge might want to have a
23 little air time to talk about something, but other than that
24 no, there were no youth programs that were going on. I mean
25 I had done some stuff during that period myself with doing

1 some outreach to some students that were there at the high
2 school, and sometime during that period and I can't remember
3 whether it was when I was the GM or not. We had, you know,
4 tried to initiate actually a class but it was more from
5 initiative from myself and some others at the station. But,
6 there were no youth programs. There was a person that was
7 hired to be a youth program coordinator, but nothing came of
8 that, that I know of.

9 Q You also mentioned another member of Golden Gate
10 Public Radio, Deirdre Kennedy. What was your involvement or
11 relationship with her during the 1996 to 1998 time period?

12 A Deirdre came along during a slightly earlier
13 period when Jerry Jacob was the manager, I think right
14 before this, and she came to an audition and wasn't really
15 comfortable with the place and some situations there. But,
16 I asked her, I didn't know her then, only in name, and I
17 asked her at that time if she could, you know, we really
18 needed announcers of the radio station quality, part time
19 announcers, some on-call announcers, and would she please
20 ignore the stuff that was making her uncomfortable before,
21 because she probably would never have to really be in the
22 office during the day, and if she could come and announce at
23 the station, so she did.

24 Q Around what time was that, do you think?

25 A Probably in 1995 perhaps. You know, like I say,

1 whatever Jerry -- you know, if I had a time line that I
2 could see sort of the, you know, the birth dates and turn
3 dates of the various managers, I could, you know, more place
4 it under which regime this all was. Sorry for not mapping
5 it out more.

6 Q That's all right. Just give your best truthful
7 answer and if you don't know something, that is an
8 acceptable answer. How frequently did you have contact with
9 Ms. Kennedy?

10 A Not that frequently at the radio station itself,
11 because she was on-call, I would hear her more than see her.

12 Q Do you have a basis or sufficient knowledge to
13 form an impression of her ability for truthfulness or
14 honesty?

15 A I think she is a pretty honest person. She's a
16 friend, you know, I'll say that up front too, that I know
17 her and I work with her on a current production that she's
18 working on now. And so we've, through working on that and
19 through, you know, our meeting at KALW, we've become
20 friends.

21 Q And you've maintained that friendship to the
22 present?

23 A Yes.

24 Q And what is it that you do now?

25 A I freelance, so I do recordings, sometimes at

1 conferences, I do some production on a program called Tech
2 Nation, it's a stock -- it's a nationally syndicated
3 program. I do some documentary editing, I do mentoring and
4 consultation with people that are learning digital
5 programming or digital editing and recording. I do mini-
6 disk recovery and transfer, whatever, you know, 'Have
7 Michael Will Travel' basically.

8 Q While you, during the 1996, 1997 and 1998 time
9 frame, prior to your assumption as the general manager, I
10 believe Jeffrey Ramirez you mentioned was the general
11 manager?

12 A Uh-huh.

13 Q How frequently did you interact with him?

14 A I mean I'd see him almost every day and interact
15 with him some of those days. Jeff was not a very
16 interactive person.

17 Q In terms of?

18 A He was just not a social person. So, he usually
19 stayed in his office and I'd, you know, knock on the door
20 and say hi, that's about it.

21 Q Did he ever ask you to provide -- you had said
22 that Mr. Jacob at one point had asked you to provide Program
23 Issues Lists or information regarding that, did Mr. Ramirez
24 ever request that information from you?

25 A Not that I recall.

1 Q Do you know if he requested it of anybody else?

2 A Not that I know of.

3 Q Do you know, at that time, who might have been
4 responsible for maintaining the Program Issues Lists?

5 A Well, it would have been the only people that
6 really worked there at that time, and that would be Jeffrey
7 Ramirez, Bill Helgeson, Anna Perez was also there as well as
8 a program manager, but I'd say primarily, if we're talking
9 about staff people that, you know, office staff people, that
10 would be Bill Helgeson and Jeff Ramirez.

11 Q And what does the Program Issues List mean to you,
12 what is your familiarity with that term?

13 A From what I know of it, the station is to go out
14 and identify what the needs of the community are, what
15 issues are for the community and then you do programming
16 around that, and then you keep a list of what you've done to
17 address those specific community, that specific community
18 issue or those specific issues. And here's an issue on, you
19 know, teen whatever it was, YGC problems, here you did a
20 special, you know, talking to people about, you know, youth,
21 you know, in juvi or whatever, something like that.

22 Q Were you aware of the fact that the KALW station
23 came up for renewal in 1997?

24 A Um-hum. Yes, yes.

25 Q Were you ever asked to provide any information in

1 support of the application?

2 A I don't believe so, no.

3 Q Did you ever see the application?

4 A No.

5 Q Do you know who might have helped provide
6 information for the renewal?

7 A Not really, not really. I mean there was a real
8 -- when Jeff came along there was -- I had been fairly
9 involved in a lot of different things during the pledge
10 drives, my little production manager title unofficially, but
11 Jeff was pretty clear about keeping that line, like you are
12 an announcer and that is all you are responsible for. So,
13 any involvement, sort of vertical involvement in the station
14 pretty much kind of stopped while Jeff was there.

15 Q Do you have any idea of what his background was
16 when he arrived at the station?

17 A From what I could surmise, Jeff had been a talk
18 show host or talk show producer down at KPBS in San Diego,
19 and he had worked there for awhile, not a long while but he
20 had worked there for awhile. He had also been part of
21 what's called the Next Generation Program, which is kind of
22 a fast track program for minorities in public radio,
23 sponsored by the Corporation for Public Broadcasting. So,
24 they would go out, identify young minority folks with
25 management potential I guess, put them through this program

1 at NPR or various places, and then seed them in stations
2 around, promote them to various stations.

3 Q Do you know that his assignment as the KALW
4 general manager was his first assignment as a manager?

5 A I believe it was, I believe it was.

6 Q Do you recall when Mr. Ramirez arrived at the
7 station?

8 A No. I don't know the exact -- it would have been
9 around 1996, I'm guessing, 1995-1996.

10 Q Okay. And how long was he at the station?

11 A He stayed there about a year and a half. That
12 seemed to be the shelf life of most managers there.

13 Q Okay.

14 A A year and a half, two years.

15 Q So, he would have left around 1998?

16 A 1998.

17 Q Okay. Did you know anyone named Susen Hecht?

18 A Yes. She was a volunteer at the radio station.

19 Q How often did you interact with her?

20 A I saw her I guess weekly when she came in.

21 Q And during the 1996 to 1998 time period were you
22 in contact with her on a weekly basis?

23 A I'd see her, yeah.

24 Q Did you, were you able to form any kind of an
25 opinion as to her work or her reliability?

1 A You know, she was a retired professional in, God
2 knows what, and she, I guess, felt she would like to take
3 some of her skills and put them to use at the radio station
4 by volunteering, you know, and doing some organizing of some
5 of the papers, I'm guessing.

6 Q Okay. Do you know who she worked with?

7 A I think she worked with Bill, Bill Helgeson. And
8 I'm not sure if she worked directly with Jeff or not. But,
9 I think they may have given her projects to, you know, to
10 do, because she would often be in there with piles of paper
11 organizing them and what not, so.

12 Q Do you know if she was involved in providing any
13 information or doing any research in terms of helping the
14 station or Mr. Ramirez fill out the application for the
15 station's renewal?

16 A I couldn't tell you that directly. That I
17 wouldn't know, because again there was a pretty clear line
18 drawn between duties and awareness and what not, you know.

19 Q And so you didn't have such awareness of what
20 others may or may not have been doing, except your own, you
21 were focused on what you did?

22 A Yes.

23 Q I'm going to show you a document that is stamped
24 received by the FCC mail room November 3, 1997, and it's
25 captioned, 'Petition to Deny Application for License Renewal

1 of Radio Station KALW San Francisco California', and the
2 return address is Golden Gate Public Radio. Could you just
3 take a look at that?

4 A Okay. This whole thing?

5 Q Yes. And the reason I'm asking you to look at it
6 is, I'm wondering if you've ever seen that document before?

7 A Yeah, I may have seen it at some point, I don't
8 really know, I can't really remember if I have or not. I'm
9 not sure if this was ever made public or not, you know. If
10 it wasn't, then I wouldn't have had a chance to have seen
11 it. I knew of its existence, I don't think I've ever seen a
12 document this large before, so I can't say that I've seen
13 this particular one. I think that I've seen excerpts from
14 this, because I don't know if my name comes up in here or
15 not, because I think that somewhere along the line I may
16 have given some statement somewhere, you know, about my
17 experience with an employment situation.

18 Q Well, that, Mr. Johnson, is a perfect segue to
19 Exhibit B of the Petition to Deny, and I'm asking you to
20 look at a two page document that's captioned, 'Affidavit of
21 Michael Johnson in Support of the Petition of GGPR to Deny
22 License Renewal'. Can you please just take a look at that
23 and let me know if you've seen that before?

24 A I've probably seen it before since I signed it.

25 Q So that is your signature?